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In re Patent No. PP17,770 :
Issue Date: May 29, 2007 :
Application No. 10/811,483 : DECISION ON PETITION
Filed: March 26, 2004 :
Attorney Docket No. 40000224-0001-
002

This is a decision on the "REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 CFR 1.323", filed July 30, 2007.

The petition is **DISMISSED**.

MPEP 1481.01 states:

The Fee(s) Transmittal Form portion (PTOL-85B) of the Notice of Allowance provides a space (item 3) for assignment data which should be completed in order to comply with 37 CFR 3.81. Unless an assignee's name and address are identified in the appropriate space for specifying the assignee, (i.e., item 3 of the Fee(s) Transmittal Form PTOL-85B), the patent will issue to the applicant. Assignment data printed on the patent will be based solely on the information so supplied.

Any request for the issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee must:

- (A) state that the assignment was submitted for recordation as set forth in 37 CFR 3.11 before issuance of the patent;
- (B) include a request for a certificate of correction under 37 CFR 1.323 along with the fee set forth in 37 CFR 1.20(a); and
- (C) include the processing fee set forth in 37 CFR 1.17(i).

Here, the instant request does not meet requirements (A) and (C) above. Patentee has not stated that the assignment was submitted before recordation before issuance of the patent. In addition, while patentee has paid the fee for a certificate of correction as set forth in 37 CFR 1.20(a), patentee has not included the processing fee set forth in 37 CFR 1.17(i).

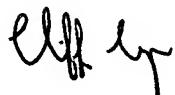
Furthermore, it is noted that the Revocation and Power of Attorney filed on July 11, 2007 was not proper. The paper was not accompanied by a 37 CFR 3.73(b) statement. As such, the Revocation and Power of Attorney has not been entered at this time. Nevertheless, this decision is being mailed to the address listed in the request filed July 30, 2007.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (571)273-8300
Attn: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions